

# **CLERK OF CIRCUIT COURT MILWAUKEE COUNTY**

The CLERK OF CIRCUIT COURT is a constitutionally created elective office with a four-year term. By County Ordinance, the Clerk of Circuit Court also serves as Director of Court Services. The current Clerk of Circuit Court is John Barrett and his office is located in Room 104 of the Courthouse. The Chief Judge appointed Mr. Barrett to be Register in Probate.

The Clerk of Circuit Court is the custodian of the courts' records. Record keeping for the courts is governed by state statute and Wisconsin Supreme Court Rule. These require that clerks maintain records of all documents filed with the courts, keep a record of court proceedings and collect various fees, fines and forfeitures. The Clerk must also establish and promote procedures for reasonable access to court records, as well as maintain the confidentiality of certain records as set forth by statute and court order. The Clerk has the fiscal responsibility of maintaining accurate, efficient, and effective accounting practices to process millions of dollars in fees, fines and forfeitures paid through the Clerk's offices annually.

The Clerk heads the Department of County Funded State Court Services which provides all administrative, clerical and record keeping functions for the Circuit Courts and court posts in Milwaukee County (First Judicial District), and directs a budget operation for a staff of 289 positions. There were 107,957 new cases filed in the Civil, Criminal, Children's and Family Divisions in 2014.

The Clerk of Circuit Court provides deputy court clerks for the Circuit Court Judges, Judicial Court Commissioners, and the Family Court Commissioners. The Clerk of Circuit Court also serves as liaison between the court system and the County Board, County Executive, State Legislature, Director of State Courts, the Judicial Council, the media and related governmental agencies.

The Clerk of Circuit Court appoints a Chief Deputy Clerk of Circuit Court and four Assistant Chief Deputy Clerks of Circuit Court. The Chief Deputy has full statutory authority to act in the absence of the Clerk. The current Chief Deputy is James Smith. His office is located in Room 104-L of the Courthouse.

### **CHILDREN'S DIVISION**

Children's Courts exercise jurisdiction over matters involving juveniles under the age of 17 regarding delinquencies, under the age of 18 regarding neglect, abuse, guardianships, termination of parental rights, adoptions, mental commitments, child abuse injunctions, civil harassments involving minors, ordinance violations, and Permanency Plan Review hearings.

The Clerk of Circuit Court staff assigned to the Children's Division prepares statutorily required legal documents; court docket entries; court orders; reviews and approves professional service vouchers; processes witness fees; victim/witness surcharges; restitution and recoupment; processes appeals of Children's Court cases to the 1st District of the Wisconsin Court of Appeals; prepares and maintains court records through the Consolidated Court Automation Program (CCAP) and maintains the court files for these matters.

The Clerk of Circuit Court, Children's Division, also handles on-site, all statutorily mandated jury trials.

### **CIVIL DIVISION**

Civil Division Courts adjudicate large claims, small claims, family, paternity, replevins, evictions, garnishments and other civil actions. In addition, they process appeals from various governmental commissions and from Municipal Courts throughout Milwaukee County.

The Clerk of Circuit Court staff assigned to the Civil Division consults with litigants and attorneys on procedural matters; assigns all civil and family cases; collects civil and family filing fees; calculates costs; enters and docket judgments, liens and satisfactions. The Civil Division administrative staff directs the work of the courts' clerical staff. The Clerk of Circuit Court prepares and maintains automated court records through the

Consolidated Court Automation Program (CCAP) and maintains the court files for all civil and family matters.

Family Division Courts hear default and contested cases on all matters relative to actions set forth in Chapter 767 of the Wisconsin Statutes.

### **CRIMINAL DIVISION**

The courts in the Criminal Division hear, try and determine all matters for pretrial, trial and post-conviction proceedings in felony, misdemeanor and traffic matters. In addition, the Misdemeanor Courts conduct proceedings on matters in which jury demands have been filed in Milwaukee County municipal courts.

The Clerk of Circuit Court staff assigned to the Criminal Division consults with litigants, attorneys, law enforcement agencies and the Department of Corrections on procedural matters; processes the records and orders of the courts; receives cases from the various municipal courts; accepts payments for fines and fees, and accounts for and disburses payments to the County Treasurer; prepares Judgments of Conviction and other necessary documents for court actions; accepts document filings for cases; accepts and processes applications for occupational licenses; processes criminal case appeals; prepares and maintains court records through the Consolidated Court Automation Program (CCAP) and maintains the court files for all criminal matters.

### **JURY MANAGEMENT DIVISION**

The Jury Management Division is responsible for providing the Circuit Courts of Milwaukee County with sufficient jurors for conducting jury trials in the Civil, Family, Criminal and Children's courts. It maintains a computer system which weekly utilizes a list of eligible jurors randomly selected from the State of Wisconsin, Department of Transportation Database.

The Clerk of Circuit Court staff assigned to the Jury Division prepares all information regarding juror eligibility and executes the necessary administrative steps to ensure attendance of sufficient jurors for the daily needs of the courts. The Jury Division maintains attendance and payroll records for the jurors called; answers inquiries relating to jury service from the public and from persons who have been selected to serve as jurors.

## **PROBATE DIVISION**

The Clerk of Circuit Court staff within the Register in Probate Division maintains all wills and/or codicils deposited for safekeeping or filed for probate; all probate records of estates, trusts, guardianships of persons and estates, conservatorships, protective placements and involuntary commitments.

Staff also provides information on probate procedures and practices; verifies disbursements and assets in guardianship accounts; collects probate filing fees; issues certified copies of probate records; microfilms probate records and processes originals for destruction.

The office provides the mechanism and direct public services for informal administration of estates; provides legal services associated with procedural requirements for final settlements of estates and enforcement of time limits for filing estate inventories and guardianship accounts for closing estates.